

**UNITED STATES DISTRICT COURT**

## **DISTRICT OF NEVADA – NORTHERN DIVISION**

**TESORO REFINING & MARKETING  
COMPANY LLC, a Delaware limited liability  
company,**

CASE NO.: 3:19-cv-00449-LRH-WGC

Plaintiff.

V.

**STIPULATION AND ORDER TO  
EXTEND DEADLINE TO FILE  
RESPONSE TO DEFENDANT'S MOTION  
FOR PARTIAL SUMMARY JUDGMENT  
(ECF No. 46) – THIRD REQUEST**

ALANDDON LLC, a Nevada limited liability company; KIM FIEGEHEN, as Guardian ad Litem for DONALD A. LEHR, individually; VALARIE M. LEHR, individually; and KIM FIEGEHEN, as Guardian ad Litem, for ALLAN G. FIEGEHEN, individually.

## Defendants.

Plaintiff TESORO REFINING & MARKETING COMPANY LLC (“Tesoro”), by and through its attorneys of record, the law firm of LITCHFIELD CAVO LLP, and ALANDDON LLC, VALARIE M. LEHR, and KIM FIEGEHEN, as Guardian Ad Litem, for ALLAN G. FIEGEHEN and DONALD A. LEHR (collectively referred to as “Defendants”) by and through their attorneys of

1 record, the law firm of ALLISON MACKENZIE, LTD., do hereby stipulate and agree as follows:

2 1. Plaintiff filed its first amended complaint on November 15, 2019 (ECF No. 17).  
3 2. Defendants filed their answer to the amended complaint on May 29, 2020 (ECF 32).  
4 3. The current deadlines, pursuant to the stipulated discovery plan and scheduling order –  
5 fourth request are: Discovery Cut-Off – June 14, 2021; Amend the pleading or add parties – February  
6 26, 2021; Initial Expert Disclosure: February 14, 2021; Rebuttal Expert Disclosure: March 15, 2021;  
7 Dispositive Motion Deadline: July 19, 2021 and Joint Pre-Trial Order: June 29, 2021.

8 4. On December 23, 2020, Defendants filed their Motion for Partial Summary Judgment  
9 on Plaintiff's Second Claim for Relief (Breach of Contract against Guarantors)(the "MPSJ") (ECF No.  
10 46).

11 5. Plaintiff's response to Defendants MPSJ is due April 19, 2021 pursuant to Court Order  
12 (ECF No. 67).

13 6. On January 19, 2021, Defendants filed their Motion for Protective Order that Allan G.  
14 Fiegehen Not Be Deposed (ECF No. 50) and Motion for Protective Order that Donald Lehr Not Be  
15 Deposed (ECF No. 51) (the "Motions for Protective Orders").

16 7. Plaintiff filed its response to the Defendants' Motions for Protective Orders ECF No.  
17 50 and ECF No. 51 on March 16, 2021.

18 8. Defendants filed their Reply in Support Motions for Protective Orders on March 23,  
19 2021. (ECF 64 and 65).

20 9. The hearing for Motions for Protective Orders was held on April 15, 2021. The court  
21 denied Defendants' Motions for Protective Orders ECF No. 50 and ECF No. 51 and will allow Plaintiff  
22 to depose Mr. Fiegehen and Mr. Lehr subject to certain limitations as agreed upon at the April 15,  
23 2021 hearing. (Minutes of Proceedings, ECF 69).

24 10. Defendants' counsel agreed that Plaintiff's response to Defendants' MPSJ (ECF No.  
25 46) shall be not be due until after the depositions of Mr. Fiegehen and Mr. Lehr are conducted.

26 11. The earliest date that Mr. Fiegehen's deposition may be conducted is May 11, 2021.

27 12. Both counsel agree that Plaintiff's response to Defendants' MPSJ will be due June 7,  
28 2021 to allow time Plaintiff time to conduct the depositions of Mr. Fiegehen and Mr. Lehr.

1       13. This is Plaintiff's third request for an extension in regard to Defendant's MPSJ (ECF  
2 No. 46).

3       **IT IS SO STIPULATED.**

4       Dated: April 19, 2021

**LITCHFIELD CAVO LLP**

5       By: /s/ Alicia A. Hagerman, Esq.  
6            GRIFFITH H. HAYES, ESQ.  
7            Nevada Bar No. 7374  
8            ALICIA A. HAGERMAN, ESQ.  
9            Nevada Bar No. 10891  
10           3993 Howard Hughes Parkway, Suite 100  
11           Las Vegas, Nevada 89169  
12           T: 702-949-3100/F: 702-916-1779  
13           Hayes@LitchfieldCavo.com  
14           Hagerman@LitchfieldCavo.com  
15           Attorneys for Plaintiff

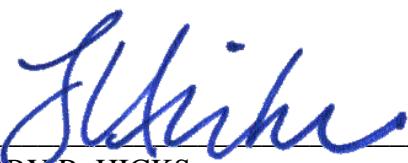
16       Dated: April 19, 2021

**ALLISON MacKENZIE, LTD.**

17       By: /s/ Chelsea D. Bibb, Esq.  
18           RYAN RUSSELL, ESQ.  
19           Nevada Bar No. 8646  
20           CHELSEA D. BIBB, ESQ.  
21           Nevada Bar No. 13073  
22           402 North Division Street  
23           Carson City, Nevada 89703  
24           T: 775-687-0202/F: 775-882-7918  
25           rrussell@allisonmackenzie.com  
26           cbibb@allisonmackenzie.com  
27           Attorneys for Defendants

28       **IT IS SO ORDERED** that the deadline for Plaintiff to file its response to Defendant's MPSJ  
1       (ECF No 46) is June 7, 2021., *nunc pro tunc*.

2       DATED this 20th day of April, 2021.

3         
4           LARRY R. HICKS  
5           UNITED STATES DISTRICT JUDGE